

By Senator Cowin

11-359-02

1 A bill to be entitled
2 An act relating to the North Lake County
3 Hospital District, Lake County; codifying
4 special laws relating to the district;
5 providing legislative intent; amending,
6 codifying, reenacting, and repealing chapters
7 95-508 and 97-332, Laws of Florida; providing
8 district boundaries; providing definitions;
9 providing for a board of trustees as the
10 governing body of the district; prescribing the
11 powers and duties of the board; providing for
12 compensation and meetings of the board;
13 providing a principal office of the district;
14 authorizing the board to levy an annual ad
15 valorem tax upon taxable property within the
16 district; providing for purpose of the tax;
17 providing for a method for such levy; exempting
18 property of the district for assessment;
19 prohibiting the board from transferring control
20 of the district's hospitals or facilities
21 except upon approval by referendum; providing
22 for severability; providing an effective date.

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24 Be It Enacted by the Legislature of the State of Florida:

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26 Section 1. Pursuant to section 189.429, Florida
27 Statutes, this act constitutes the codification of all special
28 acts relating to the North Lake County Hospital District. It
29 is the intent of the Legislature in enacting this act to
30 provide a single comprehensive special act charter for the
31 district, including all current authority granted to the

1 district by its several legislative enactments. Chapters
2 95-508 and 97-332, Laws of Florida, creating the North Lake
3 County Hospital District are amended, codified, reenacted, and
4 repealed as provided in this act. The charter for the North
5 Lake County Hospital District is re-created and reenacted to
6 read:

7 Section 1. ESTABLISHMENT OF DISTRICT; BOUNDARIES.--

8 A. All provisions contained in this act which are
9 contrary to the concurrent resolutions are deemed changed by
10 this act. This act may be cited as the "North Lake County
11 Hospital District Act."

12 B. There is created and established as a political
13 subdivision of the state a hospital district in Lake County to
14 be known as the "North Lake County Hospital District," which
15 shall comprise and include the territory within Lake County
16 described as follows:

17 Beginning at the range line dividing ranges 26
18 and 27 east at its intersection with the
19 township line separating townships 20 and 21
20 south of the Tallahassee meridian; thence north
21 on such range line to the township line
22 dividing townships 19 and 20 south; thence east
23 on such township line to the Wekiva River;
24 thence north along the thread of the Wekiva
25 River to the St. Johns River; thence in a
26 northerly and northwesterly direction through
27 the thread of the St. Johns River to the
28 southwest shore of Lake George; thence north
29 along the west shore of Lake George to the
30 range line dividing ranges 26 and 27 east;
31 thence south on such range line to the township

1 line dividing townships 17 and 18 south; thence
2 west on such township line to the northeast
3 corner of section 1, township 18 south, range
4 25 east; thence run south along the east range
5 line for range 25 to the southeast corner of
6 section 36, township 18 south, range 25 east;
7 thence run east along the North boundary of
8 section 6, township 19 south, range 26 east, to
9 the waters of Lake Eustis; thence southwesterly
10 along the waters of Lake Eustis to the center
11 of the mouth of Dead River; thence
12 southwesterly along the center of Dead River to
13 an extension of the west boundary of section
14 24, township 19 south, range 25 east, extended
15 south into Lake Harris; thence run
16 southwesterly across Lake Harris to the
17 intersection of the eastern boundary of section
18 12, township 20 south, range 24 east, with the
19 waters of Lake Harris; thence run southeasterly
20 and south/southeasterly along the shoreline of
21 Lake Harris and Little Lake Harris to the south
22 boundary line of section 24, township 20 south,
23 range 25 east; thence run west to the northwest
24 corner of section 27, township 20 south, range
25 25 east; thence run south to the southwest
26 corner of section 34, township 20 south, range
27 25 east; thence run east along the township
28 line separating townships 20 and 21 south of
29 the Tallahassee Meridian to the point of
30 beginning (hereinafter the "Northeast
31 Territory").

1 and
2 Begin at the northwest (NW) corner of section
3 6, in township 18 south, range 24 east, and run
4 east along the north township line of township
5 18 south, to the northeast corner of section 1,
6 township 18 south, range 25 east; thence run
7 south along the east range line of range 25 to
8 the southeast corner of section 36, township 18
9 south, range 25 east; thence run east along the
10 north boundary of section 6, township 19 south,
11 range 26 east, to the waters of Lake Eustis;
12 thence southwesterly along the waters of Lake
13 Eustis to the center of the mouth of Dead
14 River; thence southwesterly along the center of
15 Dead River to an extension of the west boundary
16 of section 24, township 19 south, range 25
17 east, extended south into Lake Harris; thence
18 run southwesterly across Lake Harris to the
19 point that the eastern boundary of section 12,
20 township 20 south, range 24 east intersects
21 with the waters of Lake Harris; thence run in a
22 general southeasterly direction along the
23 waters of Lake Harris to the point that the
24 southern boundary of section 24, township 20
25 south, range 25 east, and the waters of Lake
26 Harris intersect; thence run west along the
27 south boundary of sections 24, 23, and 22,
28 township 20 south, range 25 east, to the
29 southwest (SW) corner of such section 22,
30 township 20 south, range 25 east; thence run
31 south along the west boundary of sections 27

1 and 34, township 20 south, range 25 east to the
2 southwest (SW) corner of section 34, township
3 20 south, range 25 east; thence run west along
4 the south line of such township 20 to western
5 boundary of Lake County, and west boundary of
6 range 24 east; thence north along the west
7 boundary of such range 24 to the point of
8 beginning (hereinafter the "Northwest
9 Territory").

10 Section 2. PURPOSE OF THE DISTRICT.--The purpose of
11 the North Lake County Hospital District as a local
12 governmental entity is to assure continued hospital services
13 for the residents of the North Lake County Hospital District,
14 referred to in this act as the "district."

15 Section 3. MEMBERSHIP AND ORGANIZATION OF THE
16 GOVERNING BOARD OF THE DISTRICT.--

17 A. General.--

18 1. The North Lake County Hospital District shall be
19 governed by a board of trustees composed of six persons to be
20 elected by the electors residing within the North Lake County
21 Hospital District in a general election. The trustees
22 currently serving on the board shall continue in their
23 capacity to the completion of their terms. The term of office
24 of each trustee shall be 4 years and a trustee may not serve
25 more than two terms for a maximum of 8 years. The term of
26 office shall expire on the date of the general election held 4
27 years after the date on which that trustee was elected. All
28 elections for the office of trustee shall be conducted during
29 general elections.

30 2. The members of the board of trustees shall serve
31 without pay. Each member shall give a bond to the Board of

1 County Commissioners of Lake County and its successors in
2 office for the use and benefit of the North Lake County
3 Hospital District for the faithful performance of his or her
4 duties in the sum of \$1,000 with a surety company qualified to
5 do business in this state as surety, which bond shall be
6 approved and accepted by the Clerk of the Circuit Court of
7 Lake County. The premiums on such bond shall be paid by the
8 district as part of the expenses of the district.

9 3. Four of the trustees shall constitute a quorum, and
10 a vote of at least four of the trustees is necessary for the
11 transaction of any business of the district. The board of
12 trustees may select from among its membership a chairman, vice
13 chairman, secretary, and treasurer. The board of trustees
14 shall cause true and accurate minutes and records to be kept
15 of all business transacted by them and shall keep full, true,
16 and complete books of account and minutes, which minutes and
17 books shall be open and subject to the inspection of the
18 inhabitants of the district at all reasonable times during
19 normal business hours. Any person desiring to do so may obtain
20 a copy of the minutes and books of account or such portions
21 thereof as he or she may desire upon payment of the costs of
22 reproduction.

23 B. Election of the board of trustees.--

24 1. Registration of electors.--Any person who is a
25 resident of the North Lake County Hospital District, at least
26 18 years of age, and registered with the Supervisor of
27 Elections for Lake County is eligible to vote for the election
28 of members of the board of trustees.

29 2. Qualifications of candidate.--All trustees must be
30 duly qualified electors who reside in the North Lake County
31 Hospital District. Three trustees must reside in the Northeast

1 Territory and three trustees must reside in the Northwest
2 Territory.

3 3. Vacancies.--Vacant trustee seats shall be filled
4 through appointment by the then-existing board of trustees;
5 appointees shall serve until the expiration of the term for
6 which they are appointed.

7 C. Annual meeting.--The annual meeting shall be held
8 during the month of January of each year at such time and
9 place within the district as is determined by the board of
10 trustees. Notice of the date, time, and place of the annual
11 meeting shall be published in a daily newspaper of general
12 circulation, in a section other than the legal ad or
13 classified ad sections, in the North Lake County Hospital
14 District once per week for 2 consecutive weeks. The date of
15 the first publication of such notice must be at least 15, and
16 not more than 30, days before the annual meeting. The agenda
17 at the annual meeting of the board of trustees shall include,
18 but is not limited to:

19 1. Call to order.

20 2. Presentation and approval of minutes of the last
21 annual meeting and of any special meeting held since that
22 meeting.

23 3. Financial report.

24 4. Presentation of the annual report of the board of
25 trustees.

26 5. Transaction of any business that may properly be
27 brought before the board.

28 6. Election of officers of the board of trustees.

29 D. Special meetings.--Special meetings of the board of
30 trustees may be called at any time by the chairman or upon the
31 written request of four members of the board of trustees.

1 Notices of special meetings of the board of trustees shall be
2 by publication in a newspaper of general daily circulation in
3 the North Lake County Hospital District at least 7 days before
4 such meeting, stating the date and place and general matters
5 of the business to be considered.

6 E. Removal of members of the board of trustees.--Any
7 member of the board of trustees may be removed by the Governor
8 at any time, for cause, in which event such vacancy or
9 vacancies thereby occurring shall be filled through
10 appointment by the then-remaining board of trustees for the
11 unexpired term.

12 Section 4. POWERS, FUNCTIONS, AND DUTIES.--

13 A. Eminent domain.--The North Lake County Hospital
14 District, through its board of trustees, has the power of
15 eminent domain.

16 B. General Powers.--The Board of Trustees of the North
17 Lake County Hospital District has all the powers of a body
18 corporate, including the power to sue and be sued under the
19 name of the North Lake County Hospital District; to contract
20 and be contacted with; to adopt and use a common seal; and to
21 acquire, purchase, hold, lease, and convey such real and
22 personal property as the board of trustees deems proper or
23 expedient to carry out the purposes of this act.

24 C. Ad valorem taxation.--The Board of Trustees of the
25 North Lake County Hospital District may levy an ad valorem tax
26 in the district of 1 mill on the dollar of the value of all
27 nonexempt property within that area of Lake County which
28 comprises the North Lake County Hospital District. Such tax
29 shall be paid into the district fund.

30 D. Tax proceeds to charitable foundations.--All future
31 tax proceeds generated from within the northeast territory,

1 less one-half of the amount reserved annually by the board to
2 pay for maintenance and services for the board, shall be paid
3 by the board of trustees to Florida Hospital Waterman
4 Foundation, Inc., upon written request by Florida Hospital
5 Waterman Foundation, Inc., that the funds are needed for
6 health care. All future proceeds generated from within the
7 northwest territory, less one-half of the amount reserved
8 annually by the board to pay for maintenance and services for
9 the board, shall be paid by the board of trustees to Leesburg
10 Regional Medical Center Charitable Foundation, Inc., upon
11 written request by Leesburg Regional Medical Center Charitable
12 Foundation, Inc., that the funds are needed for health care.

13 E. LifeStream Behavioral Center.--Leesburg Regional
14 Medical Center Charitable Foundations, Inc., and Florida
15 Hospital Waterman Foundation, Inc., have brought to the
16 attention of the respective boards that LifeStream Behavioral
17 Center should be entitled to receive the following sums, after
18 submission of a written request by LifeStream Behavioral
19 Center certifying that the funds are needed for indigent
20 health care. The request shall be made to Florida Hospital
21 Waterman Foundation, Inc., and Leesburg Regional Medical
22 Center Charitable Foundation, Inc. Florida Hospital Waterman
23 Foundation, Inc., and Leesburg Regional Medical Center
24 Charitable Foundation, Inc., shall pay the following sums to
25 LifeStream Behavioral Center from their respective share of
26 tax funds collected and received by Florida Hospital Waterman
27 Foundation, Inc., and Leesburg Regional Medical Center
28 Charitable Foundation, Inc.

29 1. For each year after calendar year 1993, LifeStream
30 Behavioral Center shall be paid \$100,000 or 1/20 of 1 mill of
31 the tax moneys due Florida Hospital Waterman Foundation, Inc.,

1 from the northeast territory, whichever is greater, plus
2 \$100,000 or 1/20 of 1 mill of the tax moneys due Leesburg
3 Regional Medical Charitable Foundation, Inc., from the
4 northwest territory, whichever is greater. If Florida Hospital
5 Waterman Foundation, Inc., or Leesburg Regional Medical Center
6 Charitable Foundation, Inc., refuses to pay LifeStream
7 Behavioral Center the funds due under this section in any
8 given year, during the next fiscal year of the North Lake
9 County Hospital District, the Board of Trustees of the North
10 Lake County Hospital District shall directly pay LifeStream
11 Behavioral Center an amount equal to the funds withheld during
12 the previous year by the subject provider payable from funds
13 which would otherwise be payable to the subject provider.

14 2. Notwithstanding any of the provisions of this act,
15 the obligation to pay tax revenues to LifeStream Behavioral
16 Center under this act shall permanently terminate in the year:

17 a. When a countywide health taxing district is created
18 and funded pursuant to chapter 154, Florida Statutes, the
19 countywide health taxing district provides for reimbursement
20 on an accountability basis to medical providers for medical,
21 hospital, and emergency care, including psychiatric care
22 provided to indigent residing within the county, and the
23 countywide health taxing district actually reimburses
24 LifeStream Behavioral Center for medical services in an amount
25 greater than or equal to the tax revenues received under the
26 provisions of this act in one calendar year; or

27 b. If LifeStream Behavioral Center, for any reason,
28 loses, relinquishes, or forfeits its accreditation as a
29 hospital.

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1 Any reimbursement for medical services paid to LifeStream
2 Behavioral Center by any future countywide health taxing
3 district shall be deducted from the amount of tax revenues to
4 be paid under this act. It is the intent of this act that the
5 tax revenues payments provided for LifeStream Behavioral in
6 this act be reduced by the same amount that is actually paid
7 to the hospital by the countywide taxing district.

8 F. Annual financial report.--Leesburg Regional Medical
9 Center Charitable Foundation, Inc., and its parent
10 corporation; Florida Hospital Waterman Foundation, Inc., and
11 its parent corporation; and LifeStream Behavioral Center shall
12 each file annual audited financial statements with the North
13 Lake County Hospital District.

14 G. Collection of taxes.--It is the duty of the
15 Property Appraiser of Lake County to assess, and the Tax
16 Collector of Lake County to collect, the 1-mill tax levied by
17 the Board of Trustees of the North Lake County Hospital
18 District upon the taxable property in the district. The tax
19 collector shall collect such tax as levied by the board of
20 trustees in the same manner as other taxes are collected and
21 shall pay the same over to the Board of Trustees of the North
22 Lake County Hospital District within the time and in the
23 manner prescribed by law for the payment of the Tax Collector
24 of Lake County taxes to the county depository. It is the duty
25 of the Department of Revenue to assess and levy on all the
26 railroad lines and telegraph lines properly situated or
27 located in the district, including all telephone lines and
28 cable television lines if legally permissible. The amount of
29 each county or state taxes and the taxes for the district
30 shall be assessed by the officer respectively as are county
31 taxes upon such property, and such tax shall be remitted by

1 the collecting officer to the Board of Trustees of the North
2 Lake County Hospital District. All such taxes shall be held by
3 the Board of Trustees of the North Lake County Hospital
4 District and paid out by them for purposes of this act.

5 H. Expenses.--The Board of Trustees of the North Lake
6 County Hospital District may pay from the funds of the
7 district all expenses of the organization of such Board of
8 Trustees and all expenses necessarily incurred with the
9 development of the district as well as all other reasonable
10 and necessary expenses, including the fees and expenses of a
11 certified public accountant and an attorney as needed in the
12 transaction of the business of the district in carrying out
13 and accomplishing the purposes of this act. The board shall
14 include in its annual budget a reserve in an amount deemed
15 necessary by the board for its yearly expenses.

16 I. Alternative revenue-raising capabilities.--The
17 board of trustees has full power and authority to accept all
18 grants, benefits, devises, donations, contributions, gifts,
19 requests, and offerings made to and for the use of the
20 district for the purpose of carrying out the purposes of this
21 act. Unless such grants, benefits, devises, donations,
22 contributions, gifts, requests, and offerings are specifically
23 designated by the contributor for payment to Florida Hospital
24 Waterman Foundation, Inc., Leesburg Regional Medical Center
25 Charitable Foundation, Inc., or some other health care
26 provider, any such contributions shall be equally divided by
27 the board of trustees and paid to Florida Hospital Waterman
28 Foundation, Inc., and Leesburg Regional Medical Center
29 Charitable Foundation, Inc., as soon as practical after
30 receipt thereof.

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1 J. Financial-disclosure, notice, and reporting
2 requirements.--At least once every year, the Board of Trustees
3 of the North Lake County Hospital District shall make and file
4 with the Clerk of the Circuit Court of Lake County a complete
5 financial statement of all money received and distributed by
6 the board since the development of the district as to the
7 first statement so filed, and since the last statement so
8 filed as to any other year. Such statements shall also show
9 the several sources from which the funds were received and
10 shall show the balance on hand at the time of the making of
11 such statement. It shall show a complete statement of the
12 financial condition of the district. Notice of the statement
13 shall be filed with the Clerk of the Circuit Court of Lake
14 County and published in a newspaper regularly published in
15 Lake County, and the statement shall be made available at all
16 reasonable times to all residents of the district for their
17 inspection. The Board of Trustees of the North Lake County
18 Hospital District shall comply with all financial-disclosure
19 and reporting requirements provided in general law.

20 K. Preparation of budget.--The Board of Trustees of
21 the North Lake County Hospital District shall prepare an
22 annual balanced budget in accordance with generally accepted
23 accounting practices and in the manner prescribed by section
24 218.34, Florida Statutes.

25 L. Liens and foreclosures.--Liens and foreclosure of
26 liens resulting from failure to pay ad valorem taxation shall
27 be treated as liens and foreclosures resulting from other ad
28 valorem taxes.

29 Section 5. ESTABLISHMENT AND DISSOLUTION OF THE
30 DISTRICT.--The North Lake County Hospital District established
31 pursuant to section 189.4042, Florida Statutes, is

1 reestablished by this act as a special district under chapter
2 189, Florida Statutes. The district may be dissolved by action
3 of the state Legislature.

4 Section 6. AMENDMENTS TO THE CHARTER.--This act may
5 not be amended except by action of the state Legislature.

6 Section 7. CONSTRUCTION OF ACT.--It is intended that
7 the provisions of this act be liberally construed for
8 accomplishing the purposes authorized and provided for by this
9 act.

10 Section 8. COMPREHENSIVE PLANNING.--Except as may
11 otherwise be required by general law, comprehensive planning
12 is not required by this act.

13 Section 9. REPEALER.--Chapters 95-508 and 97-332, Laws
14 of Florida, are repealed.

15 Section 10. SEVERABILITY.--If any provision of this
16 act or its application to any person or circumstance is held
17 invalid, the invalidity does not affect other provisions or
18 applications of the act which can be given effect without the
19 invalid provision or application, and to this end the
20 provisions of this act are severable.

21 Section 2. This act shall take effect upon becoming a
22 law.

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